



Shapiro Arato Bach LLP

1140 Avenue of the Americas, 17th Floor, New York, NY 10036  
phone: 212-257-4880 | fax: 212-202-6417  
[www.shapiroarato.com](http://www.shapiroarato.com)

Jonathan P. Bach  
[jbach@shapiroarato.com](mailto:jbach@shapiroarato.com)  
Direct: 212-257-4897

July 26, 2023

**Via ECF**

The Honorable Sarah Netburn  
United States Magistrate Judge  
40 Foley Square, Room 430  
New York, NY 10007

*Re: Roche Freedman LLP v. Jason Cyrilnik, No. 1:21-cv-1746 (S.D.N.Y.)*

Dear Judge Netburn:

The RF Parties write respectfully to seek additional guidance from the Court to inform the parties' ongoing discussions concerning the sealing of summary judgment materials.

On June 30, 2023, at the Court's direction, the parties submitted a joint letter setting out their respective positions on sealing portions of the opening summary judgment briefs and related exhibits. (Dkt. 451). The parties have now served opposition and reply papers but deferred filing those materials on the docket until August 1, 2023, to give the parties an opportunity to meet and confer concerning the need to seal portions of these additional materials. (Dkt. 455). The remaining summary judgment materials are voluminous and include information that is either identical, or substantially similar, to that at issue in the parties' prior sealing dispute (e.g., confidential law firm client and business information, and sensitive information relating to non-parties). Accordingly, the RF Parties would be grateful for any guidance the Court might be willing to provide to focus the parties' ongoing discussions and help them avoid burdening the Court with duplicative and unnecessary disputes.

In addition, Defendant Cyrilnik's opposition papers now include seventeen (17) complete deposition transcripts as exhibits. Meanwhile, his briefing cites only limited excerpts of those transcripts. Reviewing each of seventeen transcripts for sensitive, confidential information will impose a substantial burden on Counter-Defendants and the Court, and seems unnecessary. This burden could be substantially reduced by directing Cyrilnik to file only the cited excerpts on the public docket. We therefore respectfully seek a ruling on that issue as soon as possible.

Respectfully,

/s/ Jonathan P. Bach  
Jonathan P. Bach